

DELAGOA BAY.

HOW IT IS THAT PORTUGAL OWNS
IT AND ENGLAND DOES NOT.

COLONEL MCMURDO'S RAILROAD CONCESSION
AND PORTUGAL'S REVOCATION OF IT—
A LONG-DRAWN ARBITRATION.

Delagoa Bay has been much to the fore of late. At the time of the Jameson raid, or a little after, Germany sent two warships thither. Since then Great Britain has sent a fleet. There have been rumors that Germany was about to seize the bay, and also that Great Britain was; that the Transvaal Government had secured by purchase a controlling interest there, and that Great Britain had done the same. In not one of these tales is there probably the slightest truth. But they have served to attract much attention to that much coveted bay, which forms the nearest port and only practical means of ingress and egress of the richest gold-mining region of the world. What is true, moreover, is that the long-pending dispute over the Delagoa Bay Railroad, in which the United States is deeply interested, is at the point of final settlement. It is now before the arbitration tribunal in Switzerland, and a decision is expected during the present year, upon which the ownership of fortunes "beyond the dreams of avarice" will depend.

The history of Delagoa Bay dates back to the time of the hero of the Lusitania. It is now more than three hundred years since Vasco da Gama, the Portuguese explorer, discovered it and made a landing at the place now known as Lorenzo Marques, just at the north of the mouth of the river called by the Portuguese the "Espírito Santo," but more generally known as the English River. No serious attempt was made by the Portuguese to colonize or to control that region, although they claimed ownership of it by the right of discovery. In the eighteenth century the Dutch, who then owned Cape Colony, declined to recognize the Portuguese ownership, and established a fort and trading station of their own on the south side of the English River, just opposite Lorenzo Marques. To this the Portuguese made no objection. The Dutch post was not long maintained, however, and down to the early part of the present century that whole region was still in a state of primeval savagery.

GREAT BRITAIN GETS THE BAY.

After the Napoleonic wars the Dutch possessions in South Africa passed into the hands of the British, and the latter, observing the neglected condition of Delagoa Bay, sent an expedition thither. The bay was for the first time carefully surveyed, and treaties were made with the native chiefs in that neighborhood by which they ceded their respective territories absolutely to Great Britain. After concluding these treaties the British commander, Captain Owen, sailed for Madagascar. During his absence a British schooner from Cape Town entered the southern part of the bay, which was the part of it over which Captain Owen had established British sovereignty. The Portuguese authorities at Lorenzo Marques promptly seized it and condemned it to be sold. Before it was sold, however, Captain Owen returned. He at once showed to the Portuguese authorities the treaties he had concluded and warned them that British authority must be respected. The Portuguese yielded and released the schooner.

This was in 1823, and for half a century thereafter nobody ventured to dispute Great Britain's ownership of the southern half of Delagoa Bay. That territory was continuously treated as British. But in 1871 the Portuguese again seized a British ship, this time hailing from Natal. Mr. Gladstone was then Prime Minister and Lord Kimberley was Colonial Secretary. Had they firmly maintained the title of Great Britain to property that had been indisputably British for fifty years, Portugal would have yielded promptly, as before, and there would have been no further dispute about Delagoa Bay. Instead, they hesitated and paltered, and finally agreed to submit the case to arbitration, without appeal. The President of the French Republic was named as the sole arbitrator. M. Thiers was at that time President, but was soon after succeeded by Marshal MacMahon. The latter decided in favor of Portugal and against Great Britain, and the latter acquiesced in the decision, although the equity of it has never been admitted.

It was not long after that time that the secret cause of Portugal's aggressive attitude was revealed. The Portuguese Governor at Lorenzo Marques had heard rumors, and by thorough investigation had confirmed them, that gold in large quantities was to be found throughout a large part of the Transvaal Republic, within a hundred or a hundred and fifty miles of Delagoa Bay. Of this he made certain before a single hint of it had reached English ears. He knew that Delagoa Bay was the natural outlet for the enormous trade that would soon be developed in that region. He therefore reckoned it worth while to play a desperate game for securing to Portugal sole possession of the bay. In this, thanks to his audacity and to the weakness and blundering of the British Government of the day, he succeeded. Portugal has now, therefore, undisputed possession of the entire bay and its two islands.

MACMAHON AGAINST ENGLAND.

Marshal MacMahon's decision did not end the controversies in that quarter, however. It was soon seen to be desirable that a railroad should be constructed from the bay to the heart of the Transvaal Republic. In December, 1875, the Transvaal entered into an agreement with Por-



THE MAN WHO LED THE JUBILEE PROCESSION, CAPTAIN OSWALD AMES, OF
THE 2D LIFE GUARDS—6 FEET 8 INCHES IN HEIGHT.
(From a cartoon in "Vanity Fair.")

tugal for the construction of such a road. If Portugal would have a road built from the bay to the Transvaal frontier, a distance of about fifty-five miles, the Transvaal would continue it from that point to Pretoria, or "up to a centre of production which should insure the traffic of the line and the development of international commerce." Eight years later, in December, 1883, the Portuguese Government granted to an American citizen, Colonel Edward McMurdo, a charter for the building of a railroad from Lorenzo Marques to the Transvaal frontier. A concession was granted to him for the operation of the railroad for ninety-nine years, during which time Portugal agreed not to allow the construction of any other railroad for a distance of seventy miles on each side of his line. That concession gave him a practical monopoly of inland trade from Delagoa Bay, and in consideration of the enormous value of that monopoly he asked for no subsidy or other aid from the Portuguese Government. He, however, received various land and other grants of enormous value.

Colonel McMurdo's operations were at first hampered by rumors of a scheme of the Portuguese and Transvaal Governments to build, parallel with and close to his line, not a railroad, but a "tramway," which, while not violating the concession in terms, would do so in fact, and largely destroy the value of his grants. He at first formed a Portuguese company for building the road and exploiting his concession, with a capital of \$2,500,000. The rumors about the tramway prevented the success of this company, however, and its shares were presently transferred to an English concern known as "The Delagoa Bay and East Africa Railway Company, Limited." In March, 1887, this company issued bonds to the amount of \$2,000,000, and subsequently increased them to 3,750,000. Work on the construction of the railroad was then pressed under the direction of Sir Thomas Tancred, and by November, 1887, the road was completed to the Transvaal frontier.

IMPOSSIBLE CONDITION.

Then, to the consternation of everybody concerned, the Portuguese Government declared that it must be built some distance further on, and that it must be thus extended and completely finished within eight months from that date. Against this the company vigorously protested, but at the same time undertook to do the addi-

tional work. The eight months in question comprised, however, the whole of the rainy season, and during five of those months it was impossible to do any work. The expiration of the eight months, therefore, found the supplementary portion of the road not quite finished. Thereupon, at the end of June, 1889, the Portuguese Government revoked the concession and confiscated the entire railroad property, which it has ever since managed for its own benefit.

About this time Colonel McMurdo died. But his rights were taken up by both the British and American Governments. Several British warships were sent to Delagoa Bay, and Portugal was warned that she would be held strictly responsible for any injury or loss to British subjects. The United States Government also made some vigorous representations on behalf of Colonel McMurdo's heirs and other American investors. After some months of diplomatic fencing it was agreed by the three Governments concerned that the whole matter should be submitted to arbitration. The Swiss Government was called upon to act as arbitrator, and it appointed, in September, 1890, three of its most eminent jurists to constitute the tribunal. These were acceptable to the three Governments, and on June 10, 1891, the representatives of Great Britain, the United States and Portugal formally signed the writ of submission.

Arbitration proceeded deliberately. Not until February 1, 1892, was the Court organized. The claims of the Delagoa Bay Company, demanding compensation to the amount of \$7,250,000, were laid before the Court in March, 1892, and soon after the claims of Mrs. McMurdo were added for nearly \$1,500,000 more. Nine months later the Portuguese Government filed its answer. Rejoinder and sur-rejoinder followed, and not until November, 1891, were the written pleadings finally closed. Since that date similar deliberation has been observed, although the British and American Governments have used all proper means to hasten decision. Many of the points involved were purely technical, and in order to deal with them intelligently the Court decided, just a year ago, to appoint an expert commission of engineers to assist it. This commission dispatched one of its number, Mr. Nicolle, to Delagoa Bay in November last to examine the entire route and report upon it. He returned from his errand a few weeks ago, and has now made his report to the tribunal.

It is expected that a date will soon be set for a final hearing. The American claimants will be represented by Messrs. Robert Ingersoll and John Trehane, of the United States, and Mr. Wyss, of Switzerland; the British claimants by Messrs. E. M. Underdown, Q. C., and Malcolm McIlraith, of England, and Charles Boiceau, of Switzerland, and the Portuguese Government by four eminent Swiss lawyers.

The decision of this tribunal will fix beyond dispute the ownership of this railroad with its monopoly for ninety-nine years of the shortest route to the sea from what is probably the richest mineral region in the world. Competent engineers thoroughly acquainted with that country and with the whole subject estimate the concession to be worth at present more than \$30,000,000, which is several times the entire claim made against Portugal. It may be added that the Transvaal end of the line is now completed as far as Pretoria.

As to the ownership of Delagoa Bay itself Great Britain has thus far acquiesced in the decision of the French President. It is interesting to recall, however, that in June, 1875, the British Government proposed to that of Portugal a mutual agreement to the effect that whichever way that award might be given "the Power in whose favor the award is made will not entertain any proposal for the acquisition of the territory by any other Power until the defeated claimant shall have had an opportunity of making a reasonable offer for the acquisition of that territory, either by purchase or for some other consideration." To this the Portuguese Government agreed. As the case stands, therefore, Portugal is the owner of Delagoa Bay, but is bound not to transfer it to the possession of any other Power without giving Great Britain the first opportunity to acquire it. If such an opportunity should be offered there can be no question as to what Great Britain would do.

THE TALLEST BRITISH SOLDIER.

CAPTAIN OSWALD AMES, WHO RODE AT
THE HEAD OF THE JUBILEE
PROCESSION.

One of the personages most frequently mentioned in the accounts of the Queen's Jubilee procession in London last month was Captain Oswald Ames, who rode at the head of it. Captain Ames's chief title to distinction, so far as is made known, is the fact that he is the tallest man in the British Army. He is a member of the 2d Life Guards, and is said to be one of the best-known men in London, and to be as handsome in appearance as he is gigantic in stature. He was allotted to the position he occupied in the forefront of the procession at the special request of the Prince of Wales. Captain Ames was followed by four of the tallest troopers of the regiment. Because of the fact that he rode, Captain Ames's height had rather to be imagined than seen; but that he made a marked impression and attracted great attention was shown by the wide mention he received.

A FEATHERED FIGHTER.

HOW THE REDBIRD IS CAUGHT.

From The Philadelphia Telegraph.

The redbird, when it has gotten down hard to home-making, develops a remarkable tendency to fight. At all other times of the year he is as docile and gentle as any in the woods—indeed, rather inclined to take a great deal from other birds—but as soon as the nest is completed and Mrs. Redbird is installed queen thereof he gets on his war paint and will fight anything that comes along. It is by taking advantage of the bravery of the redbird in defending the home that the hunter is enabled to snare it. The trap used is a wire cage. Within this cage is a tame bird, one which has been in captivity for a year or two, and sings freely. The hunter wanders into the woods and slowly makes his way through the swamps until he reaches a dense portion, when he halts.

Pretty soon the bird in the cage, delighted, doubtless, at being again in its native woods, even if bars stand between it and liberty, begins singing with all its might. If there is a redbird within sound of the caller's voice it hastens to investigate. One of the peculiar habits of the redbird, hunters say, is that there seems by common consent to be a division of the woods among them, each bird having appropriated to his especial jurisdiction a certain allotment of woods. Sometimes other birds, either by mistake or for the purpose of acquiring more territory, invade the domain of another, whereupon there is a fierce fight, which is called off only when one or the other of the birds conquers, in which case the victor becomes the possessor of the territory of the two, together with the defeated bird's mate, who, it seems, is no longer willing to share fortunes with her former lord after he has proven himself a poor fighter.

The hunter has on one side of his cage a light net, bound about by a light frame, and to the centre of a light iron rod stretched perpendicularly across this frame is attached in swinging position a short, rounded stick about six inches in length. This gate of netting is opened and kept in that position by the wooden trigger attached to the sides of the cage wherein is the call bird. This connection of the two triggers is very delicate, and the slightest touch will suffice to throw it, whereupon the netting frame door is quickly closed by a spring against the sides of the cage. This is what holds the redbird captive.

As soon as the hunter has set the trigger of the cage he hangs it to a limb somewhere or places it on the ground, and goes away some distance to await results. The imprisoned redbird soon begins to sing, and presently, if there is a redbird anywhere within hearing distance, there is a flutter of wings, a series of sharp cries, and before the hunter can say "scat" the wild redbird flies headlong at his supposed enemy in the cage, throws the trigger and is captured. It takes very little longer to capture a redbird at this time of the year than it does to catch a fish. If once the caged bird is placed in the right spot within the territory of the other redbird and he hears its singing the rest is very easy, for, regardless of all personal safety and everything else, he rushes madly to the fight.